

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

H. OLIVIA LORD,

Plaintiff,

V.

DWAYNE A. THOMPSON,

Defendant.

§
§
§
§
§
§
§
§

CIVIL ACTION NO. 3:11-CV-3241-M

PLAINTIFF'S MOTION IN LIMINE

TO THE HONORABLE COURT:

Plaintiff Olivia Lord files her Motion in Limine and before commencement of the voir dire examination of the jury panel, respectfully moves that counsel for the Defendant, and through such counsel, all defense witnesses be instructed by an appropriate order of the Court to refrain from making any mention or interrogation, directly or indirectly, to attempt to introduce, in any manner whatsoever, the following types of evidence in voir dire examination of the jurors, in opening statements, presentation of evidence, arguments before the Court, final argument, or at any other time.

Plaintiff would show that her Motion in Limine should be granted because the types of evidence listed are irrelevant to the issues involved, or are otherwise not admissible because the possible probative value of the evidentiary materials listed in this motion is far outweighed by its prejudicial effect.

Plaintiff requests that counsel for Defendant refrain from mentioning the following matters without first approaching the bench and obtaining a ruling of the Court outside the presence and hearing of the jury, or of all prospective jurors during voir dire.

The following matters should be prohibited and would not be admissible for any purpose in this case.

1. Any prior criminal history of the Plaintiff, including any arrests or criminal charges other than the arrest that is the subject of this lawsuit.

IT IS ORDERED:

SUSTAINED

OVERRULED

MODIFIED: _____

2. Any previous lawsuit in which the Plaintiff was a party.

IT IS ORDERED:

SUSTAINED

OVERRULED

MODIFIED: _____

3. Any statements or opinions by Dr. Reade Quinton concerning whether Thompson's representation to Dr. Quinton of blowback (blood spatter) on Plaintiff was an intentional misrepresentation or not..

IT IS ORDERED:

SUSTAINED

OVERRULED

MODIFIED: _____

WHEREFORE, Plaintiff respectfully requests that this motion be granted, and that the Court enter an appropriate Order precluding Defendant's counsel and his witnesses from alluding to any of the matters ruled upon and set forth in this motion.

Respectfully submitted,

By: /s/ Don Tittle
Don Tittle
Texas Bar No. 20080200
LAW OFFICES OF DON TITTLE, PLLC
6301 Gaston Avenue, Suite 440
Dallas, Texas 75214
214/522-8400
214/389-1002 - Fax
dontittle@earthlink.net
ATTORNEY FOR PLAINTIFF
OLIVIA LORD

CERTIFICATE OF SERVICE

I certify that on December 30, 2013, I electronically filed the foregoing document with the clerk of the court for the United States District Court, Northern District of Texas, using the electronic case filing system of the court. The electronic case filing system sent a "Notice of Electronic Filing" to the following attorneys of record who have consented in writing to accept this Notice as service of this document by electronic means:

Tatia R. Wilson
Jason G. Schuette
City Attorney's Office
1500 Marilla Street, Room 7B North
Dallas, Texas 75201

/s/ Don Tittle
Don Tittle